

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Strike 3 Holdings, LLC,

Plaintiff,

Case No. 22-cv-13100

v.

Judith E. Levy  
United States District Judge

John Doe subscriber assigned IP  
Address 68.55.94.212,

Mag. Judge Curtis Ivy, Jr.

Defendant.

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**ORDER GRANTING PLAINTIFF'S  
MOTION FOR A CORRECTED ORDER [8]**

Before the Court is Plaintiff Strike 3 Holdings, LLC's motion for a corrected order. (ECF No. 8.) On January 20, 2023, the Court previously issued an order granting Plaintiff's motion for leave to serve a third-party subpoena prior to a Rule 26(f) conference. (ECF No. 6.) In footnote 1 of the order, the Court noted that "[t]he docket reflects that Defendant's IP address is 68.55.94.2; however, the complaint states that Defendant's IP address is 68.55.94.212. (ECF No. 1, PageID.2.)" (ECF No. 6, PageID.69 n.1.) Therefore, the order's case caption identifies Defendant's IP address as "68.55.94.2" to be consistent with the information on the docket, but

the body of the order specifies that Defendant's IP address is "68.55.94.212."

In its motion for a corrected order, Plaintiff states that "the Court's January 20, 2023 Order inadvertently misidentified the IP address at issue in the caption as '68.55.94.2.'" (ECF No. 8, PageID.79.) Plaintiff asks that "the Court issue a corrected order, identifying the Defendant in the caption as 'John Doe subscriber assigned IP address 68.55.94.212' so that the ISP [internet service provider] may produce the correct information in response to Plaintiff's subpoena." (ECF No. 8, PageID.79.)

As the Court noted in its January 20, 2023 order, there is a discrepancy between how Defendant's IP address is identified on the docket and how it is identified in Plaintiff's complaint. The order's case caption reflects the information that appears on the docket. The Court was intentional about how it handled the discrepancy in its order, and it therefore believes that the information in the order is correct. Any issue with the order's case caption reflecting the incorrect IP address for Defendant is likely due to Plaintiff's counsel mistakenly omitting the last two digits of the IP address in the docket text when he opened this case on December 22, 2022. William Barkholz, Case Manager to Judge Judith

E. Levy, directed Plaintiff's counsel during a telephone call to file a motion to amend the case caption, but Plaintiff's counsel did not file such a motion.

Regardless, the Court grants Plaintiff's motion for a corrected order. (ECF No. 8.) The Court directs the Clerk's Office to amend the case caption so that Defendant's IP address on the docket is "68.55.94.212," which is how the IP address is identified in the complaint. An order with a revised case caption that grants Plaintiff's motion for motion for leave to serve a third-party subpoena prior to a Rule 26(f) conference will be filed separately.

IT IS SO ORDERED.

Dated: February 28, 2023  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 28, 2023.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager